

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Ina Steiner,
David Steiner,
Steiner Associates, LLC,

Plaintiffs,

v.

No. 1:21-cv-11181

eBay, Inc.,
Progressive F.O.R.C.E. Concepts, LLC,
Devin Wenig,
Steve Wymer,
James Baugh,
David Harville,
Brian Gilbert,
Stephanie Popp,
Stephanie Stockwell,
Veronica Zea,
Philip Cooke, and
John and Jane DOE,

Defendants.

DEFENDANT DEVIN WENIG’S MOTION FOR LEAVE TO FILE 10-PAGE REPLY

Now comes the Defendant Devin Wenig, by and through undersigned counsel, and hereby respectfully requests leave to file a Reply of not more than 10 pages to Plaintiffs’ Opposition to his Motion to Dismiss the First Amended Complaint (“FAC”). Mr. Wenig proposes that he be permitted to file his Reply on or before July 12, 2023.

As grounds and reasons for this request, Mr. Weng states:

1. On March 1, 2023, Plaintiffs filed the FAC, spanning 572 paragraphs and 123 pages.
2. Mr. Wenig filed a Motion to Dismiss the FAC on April 21, 2023. Per this Court’s Order, his Memorandum in support of that Motion complied with the generally applicable 20-page

limit set by the Local Rules.

3. On June 12, 2023, Plaintiffs filed a Consolidated Opposition to the Motions to Dismiss by Mr. Wenig and other defendants, spanning 94 pages.

4. Plaintiffs' 94-page Opposition includes extensive discussion of the allegations against Mr. Wenig, mentioning him by name more than 200 times.

5. A brief Reply is necessary to respond to Plaintiffs' factual and legal allegations against Mr. Wenig.

Wherefore, Mr. Wenig respectfully requests leave to file a Reply not to exceed 10 pages on or before July 12, 2023.

COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

Undersigned counsel has conferred with counsel for Plaintiffs, and Plaintiffs take no position on this request for leave to file.

Dated: June 14, 2023

Respectfully submitted,

/s/ Abbe David Lowell

Abbe David Lowell (*pro hac vice*)
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Counsel for Devin Wenig

CERTIFICATE OF SERVICE

I certify that on June 14, 2023, this document was served on all participating counsel via the CM/ECF system and on pro se defendant Stephanie Stockwell via email at stockwellstephanie21@gmail.com.

Dated: June 14, 2023

By: /s/ Martin G. Weinberg